

**LEGAL ACTION REPORT
TUCSON POLICE AND FIRE
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS
MEETING OF TUESDAY, OCTOBER 14, 2008
CITY OF TUCSON FINANCE DEPARTMENT CONFERENCE ROOM
FIFTH FLOOR OF CITY HALL 255 W. ALAMEDA, TUCSON, AZ
9:10 A.M.**

1. ROLL CALL

Police Board Members:

Robert Walkup - Chair
Marion Pickens - Member
Debra Hillary - Member
Mike Gurr - Member
JD Kragnes - Member

Fire Board Members:

Robert Walkup - Chair
Marion Pickens - Member
Debra Hillary - Member
Roger Tamietti - Member
Brian Delfs - Member

2. POLICE CONSENT AGENDA: ITEMS A – I

A. MINUTES FOR APPROVAL – 09/08/08

B. PENSION PAYROLL – Addition of Normal Service Retirement for Stephen Healy amount pending. Addition of Permanent Accidental Disability Retirement for John Cammarano amount Pending

C. NORMAL SERVICE RETIREMENT
Stephen Healy - Last day worked 09/29/08 – Pension effective 10/01/08

D. PERMANENT ACCIDENTAL DISABILITY PENSION
John Cammarano – Last day worked 09/09/08 – Pension effective 10/01/08

E. DEFERRED RETIREMENT OPTION PLAN
Alison T. Scott – Election to participate in the DROP 09/30/08

F. REDEMPTION OF PRIOR SERVICE
Alison T. Scott – Redemption of service 4.660 years from Fairbanks Alaska Police to Tucson Police in the amount of \$82,140.00

- G. TRANSFER OF SERVICE
Douglas Marcotte – 3.3511 years of prior service with the Tucson Police to the Airport Police in the amount of \$7,947.96.
- H. EXPENDITURE STATEMENT IN THE AMOUNT OF \$500.00 FOR APPLICATION PHYSICAL for James Parks and ANNUAL PHYSICAL for Sean O'Brien by Dr. Dennis Thrasher at Sunnyside Medcenter.
- I. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

MOTION by Mr. Kragnes seconded by Mr. Gurr that Police Board Items A – I are adopted with changes as noted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 5-0.

3. FIRE CONSENT AGENDA: ITEMS A – F

- A. MINUTES FOR APPROVAL – 09/08/08
- B. PENSION PAYROLL - Addition of Normal Service Retirement for Daniel Cross out of DROP in the amount of \$3,091.15. Addition of Normal Service Retirement for Nicholas Dmitroff out of DROP in the amount of \$2,996.55. Addition of Normal Service Retirement for Daniel Newburn out of DROP in the amount of \$8,341.36
- C. NORMAL SERVICE RETIREMENT
Daniel Cross – Last day worked 09/29/08 – pension effective 10/01/08
Nicholas Dmitroff – Last day worked 09/28/08 – pension effective 10/01/08
Daniel Newburn – Last day worked 09/12/08 – pension effective 10/01/08
- D. REDEMPTION OF PRIOR SERVICE
Roberto Torres – Redemption of service 1.00 years from prior Military Service to Tucson Fire in the amount of \$22,672.00
- E. TRANSFER OF SERVICE
Thomas Kehoe – Transfer of prior service from Drexel Heights Fire to Tucson Fire 4.9555 years of service in the amount of \$15,410.86
- F. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

MOTION by Mr. Delfs seconded by Mr. Tamietti that Fire Board Items A – F are adopted with changes as noted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 5-0.

4. APPLICATION FOR DISABILITY RETIREMENT

EXECUTIVE SESSION - Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Police – Attachments

There was no executive session

Phase One

Patrick Arendt – Medical Packet Permanent Accidental Disability Application

Phase Two

Veronica Morken - Medical Packet Permanent Accidental Disability Application

James Parks – Medical Packet Permanent Accidental Disability from Temporary Disability

5. APPLICATION FOR DISABILITY RETIREMENT

Direction regarding Executive Session

Phase One

Patrick Arendt

MOTION by Mr. Kragnes, seconded by Mr. Gurr that based on the medical packet submitted by Mr. Arendt and the letters from Dr. Butler dated 09/15/08 and Dr. Lindor dated 09/24/08, the application does not meet the criteria for a Permanent Accidental Disability pension and is denied. Motion **CARRIED** unanimously.

Phase Two

Veronica Morken

James Parks

MOTION by Mr. Kragnes, seconded by Mr. Gurr that based on the medical evidence provided and letter by Dr. Thrasher dated September 25, 2008 the board approve the application for Permanent Accidental Disability Retirement for Ms. Veronica Morken to be effective upon separation from the Police Department. Motion **CARRIED** unanimously.

MOTION by Mr. Kragnes, seconded by Mr. Gurr that based on the medical evidence provided and letter by Dr. Thrasher dated September 18, 2008 the board approve the change from a temporary disability to a Permanent Accidental Disability Retirement for Mr. James Parks to be effective 11/01/08. Motion **CARRIED** unanimously.

It was noted that Mr. Parks was in the audience and Mr. Gurr, Mr. Kragnes, Mr. Walkup and the rest of the board thanked him for his service to the city of Tucson.

6. CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Police – Attachments

Stephen Hippel - DOR: 10/28/97 DOH: 05/13/92 Last Physical: 10/23/06

There was no executive session

7. CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL Board Direction Regarding Executive Session

Police

Stephen Hippel

MOTION by Mr. Kragnes, seconded by Mr. Gurr, that keeping with Board Policy, that Board requests that Mr. Stephen Hippel take his annual physical. Motion **CARRIED** unanimously.

8. PSPRS BOARD MEMBER VACANCY

Police & Fire

Information only no action taken

9. REQUEST FOR ADDRESSES

Police & Fire

Information only no action taken

10. BOARD PHYSICIAN CONTRACT

Police & Fire – Attachment

Information only no action taken

11. FUND INFORMATION

PSPRS BOARD OFFICE RELOCATION

Police & Fire

Information only no action taken

12. ADJOURNMENT 9:38 a.m.

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for 9:00 A.M. on **Wednesday November 12, 2008** in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.

Fire

MOTION by Mr. Delfs, seconded by Mr. Tamietti to adjourn. Motion **CARRIED** unanimously.

Police

MOTION by Mr. Gurr, seconded by Mr. Garrison to adjourn. Motion **CARRIED** unanimously.